

**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**



ADVISORY OPINION NO. 142

This advisory opinion concerns whether a senior aide to a member of the City Council [Council] may hold temporary outside employment with the Office of the Lieutenant Governor without creating a conflict of interest.

The facts are as follows:

As senior aide, he is assigned to a particular councilmember.

He has major responsibilities for that councilmember's committee work, such as, policy review, new policy formulation, research for new policy matters, handling new ad hoc task forces and committee correspondence.

The senior aide also attends and reports on various meetings of governmental agencies and community groups and handles certain constituent inquiries for the councilmember to whom he is assigned.

In the Office of the Lieutenant Governor, he would be providing the Chief Elections Officer with technical assistance in the ordering and preparation of the ballots for the primary and general elections. The technical knowledge necessary for the preparation of ballots was gained by him when he was previously employed full time in the Office of the Lieutenant Governor.

He will be assisting the elections officer during lunchtimes, after work and on weekends through (date deleted).

The Ethics Commission [Commission] reviewed the standards of conduct found in Article XI of the Revised City Charter 1973 (1983 Ed.) [RCH], and the additional standards of conduct found in Chapter 6, Article 1 of the Revised Ordinances of Honolulu 1978, and found no conflict between his City employment and his temporary outside employment. Section 11-102.3, RCH, provides:

No elected or appointed officer or employee shall...
[e]ngage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of his official duties or which may tend to impair his independence of judgment in the performance of

his official duties.

If at any time a situation should arise in the senior aide's outside employment which might be incompatible with the proper discharge of his official duties or in reference to which he

would like further clarification of the Standards of Conduct, he should contact the Commission again.

Date: September 18, 1984

GILBERT A. GIMA
Chair, Ethics Commission